

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	No. 3:04-CR-32
V.)	(Phillips / Shirley)
)	
PERRY D. MCCREARY-REDD,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This case came before the Court on September 10, 2007, for a hearing on defendant McCreary-Redd's three *pro se* motions. [Docs. 75, 76, 78.] Tracee Plowell was present on behalf of the government. Mike Whalen was present on behalf the defendant, who was also present.

During the hearing, the defense counsel advised the Court that the defendant wished to withdraw his *pro se* motions. Defendant McCreary-Redd also advised the Court that he wished to withdraw his pending *pro se* motions and that he had recovered the documents referenced in his *pro se* Motion for Court to Recover and Return Defendant's Legal Documents and Files. [Doc. 78.] Defense counsel further advised the Court that he wished to file a motion to determine the validity of the plea agreement before any further proceedings in this case.

In light of the issues raised at the hearing, the Court set the following deadlines:

1. The defendant shall file his motion on or before **September 11, 2007**;
2. The defendant shall file a brief in support of his motion on or before **September 14, 2007**;
3. The government shall have until and including **September 21, 2007**, to respond to defendant's motion;
4. All pending motions will be heard before this Court on **September 27, 2007, at 9:00 a.m.**; and
5. Defendant's pro se motions [Docs. 75, 76, 78] are hereby **WITHDRAWN**.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge